



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

Caroline Haskins  
Motherboard  
Via MuckRock  
Dept MR 71585  
411A Highland Avenue  
Somerville, MA 02144-2516

MAY 02 2019

Re: FOIA-2019-00715

Dear Ms. Haskins:

This is in response to your Freedom of Information Act (FOIA) request dated April 10, 2019, seeking access to records related to the following companies: Halliburton; Schlumberger, Informatica; SAP SE; Oracle Corporation; Accentureplc; IBM Corporation; EMC Corporation; Microsoft Corporation; Tata Consultancy Services; Datawatch; Drillinginfo; Hitachi Vantara Corporation; Hortonworks; Capgemini; Newgen Software; Cloudera; Cisco Software; MapR Technologies; Palantir Solutions; and OSIsoft LLC. Specifically, you requested the following information:

1. All digital and paper correspondence (such as electronic mail and paper mail) between the Federal Trade Commission and representatives from the aforementioned Companies from January 1, 2016 to present that mention data optimization/monetization/analysis, as well as any attachments in digital forms of correspondence;
2. All digital and paper correspondence (such as electronic mail and paper mail) between the Federal Trade Commission and representatives from the aforementioned Companies from January 1, 2016 to present that mention data optimization/monetization/analysis, as well as any attachments in digital forms of correspondence;
3. All digital and paper correspondence (such as electronic mail and paper mail) between the Federal Trade Commission and representatives from the aforementioned Companies from January 1, 2016 to present that mention data optimization/monetization/analysis, as well as any attachments in digital forms of correspondence; and
4. A copy of all Merger Review documents that directly name or involve the aforementioned companies.

The FTC can neither confirm nor deny that it has any records responsive to this request, because to do either would reveal information that is itself exempt from public disclosure under Exemption 7(A) of the FOIA, 5 U.S.C. § 552(b)(7)(A). Therefore, at present I can only advise that even if the records you seek exist, they would be protected under this FOIA exemption. I

stress that you should not read this letter as an indication that responsive records do or do not exist. We issue this response to all similar requests.

If disclosure of information could reasonably be expected to interfere with law enforcement proceedings, Exemption 7(A) authorizes agencies to withhold it. The FTC's investigations are generally nonpublic. A reply that affirms whether responsive records do or do not exist would tacitly reveal whether the FTC has an investigatory interest in the subjects of a given FOIA request. Such acknowledgment could prematurely disclose the existence of nonpublic matters and thereby interfere in an ongoing investigation (*e.g.*, by alerting potential subjects or witnesses to the existence of an investigation, leading to the concealment or destruction of evidence). Accordingly, unless the records sought under FOIA relate to a publicly acknowledged investigation, we must withhold any information that might indicate whether investigatory records about a given subject exist or do not exist, pursuant to Exemption 7(A).

If you are not satisfied with this response to your request, you may appeal by writing to Freedom of Information Act Appeal, Office of the General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580, within 90 days of the date of this letter or via email, [FOIAAppeal@ftc.gov](mailto:FOIAAppeal@ftc.gov). Please enclose a copy of your original request and a copy of this response. If you believe that we should choose to disclose additional materials beyond what the FOIA requires, please explain why this would be in the public interest.

You also may seek dispute resolution services from the FTC FOIA Public Liaison Richard Gold via telephone at 202-326-3355 or email at [rgold@ftc.gov](mailto:rgold@ftc.gov); or from the Office of Government Information Services via email at [ogis@nara.gov](mailto:ogis@nara.gov), via fax at 202-741-5769, or via mail at Office of Government Information Services (OGIS), National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001.

If you have any questions about the way we handled your request or about the FOIA regulations or procedures, please contact Mark Brier at 202-326-3699.

Sincerely,



Dione J. Stearns  
Assistant General Counsel